

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUIS GREEN-CHAVEZ,

Defendant.

**4:12CR3093**

**ORDER**

This matter is before the court on defendant's motion for new trial. Filing No. [39](#). Defendant contends that the court erred in refusing to grant a directed verdict at the close of plaintiff's case, in refusing to grant defendant's motion for judgment of acquittal, and in refusing to give the jury a requested instruction on impossibility. *Id.*

The court has carefully reviewed the motion. The court is going to ask the parties to do additional briefing as follows:

A. Defendant shall clarify whether he is asking for a motion for judgment notwithstanding the verdict, or simply a motion for a new trial, or both.

B. Defendant shall provide the court with any additional law in support of his motion for a new trial.

C. The government shall respond to defendant's initial motion and brief and any supplemental brief.

THEREFORE, IT IS ORDERED:

1. The defendant shall provide the court with supplemental briefing, if he so chooses, within fourteen days of the date of this order.

2. The government shall file its brief within fourteen days after defendant's supplemental brief is filed.

Dated this 6th day of December, 2012.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge